

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

WILLIAM STEFANIAK and *
JANICE STEFANIAK, *
Plaintiffs *

CIVIL ACTION NO. 05-11465 LTS

v. *

VOYAGER III, LLC and *
WATER TRANSPORTATION *
ALTERNATIVES, INC. *
Defendants. *

PROPOSED JOINT SCHEDULING ORDER

The parties request this honorable court to withdraw the JOINT MOTION FOR EXTENSION OF TIME (DOCUMENT NO. 22) filed on January 18, 2007 and now pending before this court and, in its stead, adopt the Joint Scheduling Order proposed *infra*.

PROPOSED JOINT DISCOVERY PLAN

The above entitled action was filed on July 11, 2005. After conferring pursuant to Local Rule 16.1, the parties have agreed on the following proposed discovery plan pursuant to F.R.Civ.P. 16(b) and Local Rule 16.1(F):

(1) **Factual Depositions**

All fact witness depositions concluded by July 16, 2007.

(2) Expert Disclosures & Depositions (Rule 26(a)(2))

Plaintiff's expert disclosures by August 15, 2007, and Defendants' expert disclosures by September 14, 2007. Expert depositions to be completed by or before November 2, 2007.

(3) Dispositive Motions

All dispositive motions, including motions for summary judgment, to be filed by December 14, 2007 with any opposition filed within fourteen (14) days thereafter.

(4) Final Pre-Trial Conference

The parties request that a Final Pre-Trial Conference be scheduled after January 24, 2008. The parties will be prepared to commence trial within three (3) weeks following the Final Pre-Trial Conference.

Respectfully submitted,

For the Plaintiff
By his attorney,

/s/ David B. Kaplan
David B. Kaplan
THE KAPLAN BOND GROUP
88 Black Falcon Avenue, Suite 301
Boston, MA 02210
(617) 261-0080
B.B.O. No. 258540

For the Defendants,
By its attorneys,

/s/ Thomas J. Muzyka
Thomas J. Muzyka
CLINTON & MUZYKA, P.C.
One Washington Mall, Suite 1400
Boston, MA 02108
(617) 723-9165
B.B.O. No. 365540

Date: April 6, 2007